

**EDNY**  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

RICHARD SMITH

Defendant

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.  
**ORDER REQUESTING  
INTERIM PAYMENT**  
★ MAR 22 2006 ★ 04-CR-700 (ERK)

BROOKLYN OFFICE

**IT IS HEREBY ORDERED**, that as a result of the lengthy proceeding in this matter, **Joel S. Cohen, Esq.** for the defendant, Richard Smith is authorized to submit interim vouchers for the representation of his/her client.

Each voucher is to cover a **MINIMUM PERIOD OF FOUR WEEKS** with the first voucher to include the period from the original date of appointment. Requests for interim payment will be submitted on or about the **FIRST DAY OF THE MONTH**.

All interim vouchers shall be supported by **DETAILED AND ITEMIZED EXPENSE STATEMENTS**. Chapter 2, Section 3 of the Guidelines for the Administration of the Criminal Justice Act outlines the procedures and regulations regarding claims by C.J.A. attorneys and should be followed regarding each voucher. One-third of the claimed compensation on the interim vouchers shall be withheld at the Court's discretion pending approval of the final voucher.

At the conclusion of representation, counsel shall submit a final voucher which shall be labeled as such and shall set forth in detail the time and expenses claimed for the entire case including all appropriate documentation. Counsel shall indicate all compensation and reimbursement previously received on the appropriate line of the final voucher as well as the net amount remaining to be paid at the conclusion of the case.

Counsel may be reimbursed for out-of-pocket expenses reasonably incurred incident to the representation. **COUNSEL SHOULD INCUR NO SINGLE EXPENSE ITEM IN EXCESS OF \$300.00 WITHOUT PRIOR APPROVAL OF THE COURT**. Such approval may be sought by filing an ex parte application with the Clerk of the Court stating the nature of the expense and the estimated dollar cost and the reason the expense is necessary to the representation.

Reasonable expenses already incurred which are not covered may also be claimed at this time after receiving approval from the Court. An application seeking such approval may be heard in camera, if necessary.

Recurring expenses, such as telephone, tolls and photocopying which aggregate more than \$50.00 on one or more interim vouchers are not considered single expenses requiring Court approval.

Dated: Brooklyn, New York

11/23, 2005

s/Edward R. Korman

Hon. (District Judge)

U.S.D.J.



United States Court of Appeals  
For the Second Circuit